

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**1:13-cr-00379-TCB-AJB
USA v. Chung et al
Honorable Alan J. Baverman**

Minute Sheet for proceedings held In Open Court on 10/15/13.

TIME COURT COMMENCED: 11:06 A.M.

TIME COURT CONCLUDED: 12:20 P.M.

TIME IN COURT: 1:14

OFFICE LOCATION: Atlanta

TAPE NUMBER: FTR

DEPUTY CLERK: Lisa Enix

DEFENDANT(S): [1]Eugene Thomas Chung NOT Present at proceedings
[2]Athith A. Vorasith NOT Present at proceedings
[3]Jong Sung Kim NOT Present at proceedings
[4]Ye El Choi NOT Present at proceedings
[5]Thomas Jungwon Lee NOT Present at proceedings

ATTORNEY(S) PRESENT: Mildred Dunn representing Athith A. Vorasith
Ryan Ferber representing USA
L. Finlayson representing Jong Sung Kim
John Ghose representing USA
John Lovell representing Thomas Jungwon Lee
Ravindra Rayasam representing Ye El Choi
Steven Sadow representing Eugene Thomas Chung

PROCEEDING CATEGORY: Pretrial Conference;

PRETRIAL CONFERENCE INFO: Rule 16(PTO ¶¶ II.B./IV.A.-Defendant) Provided and Discovery still outstanding Jencks/Brady/Giglio re: Victim #1 statements for 12/09, 01/10 and 2013. To be produced Victim #1 statements for 12/09, 01/10 and 2013 for in camera review by the Court on 10/16/13. Jong Kim's to provide GPS search warrants to the Court by 10/16/13.

Rule 12(b)(4) (PTO ¶¶ II.B./IV.B.-Defendant) Requested. Statements as to Kim and Chung and Evidence as to Chung.

Rule 404(b)(PTO ¶IV.C.-Defendant) Requested and None. If found, Ordered disclosed 14 days before trial if in ND Ga., 21 days before trial if outside ND Ga.

Expert Witness-Defendant Requested and Notice of "agent expert" testimony to be provided in 30 days in order for the Court to evaluate if that qualifies as expert testimony.

MOTIONS RULED ON: DFT#1-[78]Motion to Suppress Evidence TAKEN UNDER ADVISEMENT
The Defendant shall have until 11/15/13 to supplement this motion
DFT#1-[79]Motion for Disclosure of Confidential Informants DENIED
DFT#3-[74]Motion for Disclosure of Confidential Informants DENIED

DFT#3-[75]Motion to Sever Defendant, TAKEN UNDER ADVISEMENT.
Government's response w/in 30 days including the full statements with
proposed redactions The Defendant's reply due in 14 days.
DFT#3-[76]Motion to Suppress Evidence WITHDRAWN
DFT#3-[77]Motion to Suppress Statements, TAKEN UNDER ADVISEMENT.
The Defendant shall have until 11/15/13 to supplement this motion.
Defendant to provide GPS search warrants to the Court by 10/16/13.

DFT#3-[80]Motion to Suppress Evidence, TAKEN UNDER ADVISEMENT.
Defendant has until 10/16/13 to provide search warrant applications to the
Court. Defendant to provide GPS search warrants to the Court by 10/16/13
Perfected motion due 11/15/13.

DFT#4-[73]Motion to Sever Defendant, TAKEN UNDER ADVISEMENT.
Government's response due on 11/15/13 including the full statements with
proposed redactions The Defendant's reply due 11/29/13

MINUTE TEXT:
Jon Sung Kim's Oral Motion in Limine, Taken Under Advisement; Perfected
motion due on 11/15/13. Eugene Chung's Oral Motion to Suppress
Statements, Taken Under Advisement; Perfected motion due on 11/15/13.
Eudgene Chung and Athith Vorasith's Oral Motion to Avoid Separation of
Defendant's in Prison, Taken Under Advisement; The Government's
justification for the separation of defendants shall be due on 10/21/13.
Defendants' Joint Oral Motion for Additional Time to Supplement or File
Additional Motions to Suppress, Granted; The Defendants shall have until
11/15/13 to file, perfect or withdraw motions. Jencks Act Statements
Requested and Ordered.

EXCLUDABLE DELAY: The parties shall have until 11/15/13 to file any additional motions. This
extension is necessary for effective preparation. The delay occasioned by this
extension shall be considered a period of excludable delay pursuant to 18
U.S.C. §3161(h)(7)(A) because the court found it needed to allow reasonable
time for preparation and also found that the ends of justice served thereby
outweigh the interests of the public and the defendant in a speedy trial.